

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Alyssa Rogowski	Team: Squad #14	CCRB Case #: 201906838	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Wednesday, 07/31/2019 8:00 PM	Location of Incident: Front of 1913 Lexington Avenue	Precinct: 25	18 Mo. SOL 1/31/2021	EO SOL 9/17/2021	
Date/Time CV Reported Fri, 08/02/2019 9:23 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Fri, 08/02/2019 9:23 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Kevin Earl	21224	958539	PSA 5
2. POF Sheila Ramos	24844	953299	PSA 5
3. POM Marcos Rodriguez	30263	954285	PSA 5
4. Officers			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. LT Robert King	00000	924028	025 PCT
2. POM Robert Renz	10375	961158	025 PCT
3. SGT Gerard Salvia	02437	946616	025 PCT
4. POF Lauren Antola	21238	962928	025 PCT
5. POM Daniel Estevez	17986	958563	025 PCT
6. POF Keerandai Bhawanideenjamna	23981	954549	025 PCT
7. POM Nicholas Mcquail	24018	963347	025 PCT
8. POF Monika Marjanovic	02769	963630	025 PCT
9. POM Nicholas Brigante	21684	959512	025 PCT
10. POM Adam Milack	21840	960100	025 PCT
11. POM Joseph Franzitta	16273	961769	025 PCT
12. POM Luis Hiraldegarcia	02986	963570	PSA 5
13. SGT Marc Hannon	02660	949081	PSA 5
14. POM Anthony Baresi	03106	951522	PSA 5

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Force: Officers used a chokehold against § 87(2)(b)	
B. Officers	Force: Officers used physical force against § 87(2)(b)	
C. POM Kevin Earl	Force: Police Officer Kevin Earl used physical force against § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
D.POF Sheila Ramos	Force: Police Officer Sheila Ramos used physical force against § 87(2)(b)	
E.POM Marcos Rodriguez	Force: Police Officer Marcos Rodriguez used physical force against § 87(2)(b)	

Case Summary

On August 2nd, 2019, § 87(2)(b) filed this complaint online via the CCRB's website on behalf of § 87(2)(b). § 87(2)(b) provided a phone number, address, email, and § 87(2)(b)'s date of birth. The investigation obtained cell phone and body-worn camera footage of this incident.

On August 5th, 2019, a search of NYC Department of Corrections database showed that § 87(2)(b) was incarcerated at § 87(2)(b).

On August 7th, 2019, § 87(2)(b) was reached at the number she provided. She verified her contact information and explained that she was not witness or party to the incident. She provided the nickname and phone number for a witness, known as § 87(2)(b).

On August 9th, 2019, § 87(2)(b) was reached at the phone number provided by § 87(2)(b). He provided his name, § 87(2)(b) and provided his contact information. He did not provide a witness phone statement during this call. Between August 14th, 2019 and August 19th, 2019, four additional calls were made to § 87(2)(b). During the first call, § 87(2)(b) disengaged the call after hearing that the next step would be to provide an in-person statement. During each additional call, voicemails were left.

On August 14th, 2019, a contact letter was emailed to § 87(2)(b) at the email address he provided. The email was returned by the server.

Between August 5th, 2019 and September 10th, 2019, searches of the following databases were conducted: the CCRB's Complaint Tracking System, LexisNexis, CLEAR, and BADS. These attempts yielded one additional phone number for § 87(2)(b).

Between September 3rd, 2019 and October 23rd, 2019, three calls were made to the phone number listed for § 87(2)(b) on his arrest report. Each time, there was either a repeated dial tone, no option to leave voicemail, or the number was not accepting incoming calls.

Between August 6th, 2019 and August 27th, 2019, two letters were mailed via United States Postal Service to § 87(2)(b) and § 87(2)(b) respectively, at the mailing address provide by § 87(2)(b). None of the letters were returned by USPS and no response was received.

On September 9th, 2019, § 87(2)(b) left a voicemail for Inv. Gbemi requesting a call back. Inv. Gbemi called back but received an automated greeting instructing to try the call again later.

Between August 6th, 2019 and October 15th, 2019, five calls were made to § 87(2)(b)'s criminal attorney and voicemails were left each time. On October 11th, 2019, § 87(2)(b)'s attorney left a voicemail requesting a call back. On October 15th, 2019, Inv. Gbemi called the attorney but there was no answer.

Between September 9th, 2019 and October 22nd, 2019, four searches of NYC and NYS Department of Corrections databases were conducted, each yielding negative results for § 87(2)(b).

On November 12th, 2019, this case was reassigned. On November 13th, 2019, searches of the following databases were conducted: BADS, NYC and NYS Department of Corrections databases, DMV, and LexisNexis. One additional address was found for § 87(2)(b), who did not appear to be incarcerated.

On November 13th, 2019, a contact letter was mailed via United States Postal Service to § 87(2)(b) at the additional address. The letter was not returned by USPS and no response was received.

Between November 18th, 2019 and November 25th, 2019, two additional calls were made to § 87(2)(b) at the number from his arrest report. Each time, the number was not accepting incoming calls.

On December 3rd, 2019, the undersigned called § 87(2)(b) at the number she had provided. § 87(2)(b) was reached and put § 87(2)(b) on the phone. § 87(2)(b) confirmed that § 87(2)(b)'s number was the only number where he can be reached, verified his mailing address, and stated that he did not have an email address. § 87(2)(b) expressed interest in pursuing the complaint but wanted to confer with his attorney prior to providing a statement to the CCRB.

Between December 5th, 2019 and December 27th, 2019, four additional calls were made in attempt to reach § 87(2)(b) at § 87(2)(b)'s phone number. During three of the calls, § 87(2)(b) stated that § 87(2)(b) was not there but that she would have him call the undersigned back. During the final call, an unidentified woman disconnected the call after the undersigned introduced herself. The undersigned immediately called back but after two minutes of ringing, there was no answer or option to leave a voicemail.

Between December 9th, 2019 and December 18th, 2019, two contact letters were mailed to § 87(2)(b) at the address he provided. Neither was returned by USPS and no response was received.

NYC and NYS Department of Corrections searches on January 6th, 2019 showed that § 87(2)(b) was not incarcerated.

§ 87(2)(g)

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date